

**Chapter 9.20****CIVIL DEFENSE AND DISASTER****Sections:**

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**Section 9.20.010 Definitions.**

As used in this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

"Local emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake or other conditions, other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the political subdivision and require the combined forces of other political subdivisions to combat;

"State of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat;

"State of war emergency" means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this State or nation is attacked by an enemy of the United States, or upon receipt by the State of a warning from the Federal Government indicating that such an enemy attack is probable or imminent;

Other terms used herein shall have meanings as used in the California Emergency Services Act, Title 2, Division 1, Chapter 7 of the California Government Code. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.020 Purposes.**

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within the City in the event of the emergency or disaster conditions hereinafter referred to, the direction of the disaster organization; and the coordination of the disaster functions of the City with the County and with all other public agencies, corporations, organizations and affected private parties. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.030 Membership of disaster corps.**

The City disaster corps consists of all officers and employees of the City and its agencies, together with all volunteers and all groups, organizations and persons commandeered under the provisions of the California Emergency Services Act and this Chapter, with all equipment and material publicly owned, volunteered, commandeered or in any way under the control of the aforementioned personnel, for the support of the aforementioned personnel in the conduct of disaster operations. (Ord 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.040 Activation of disaster corps.**

The City disaster corps shall be activated and shall function as a disaster relief body, only:

- A. Upon the existence of a "state of war emergency";
- B. Upon the declaration by the Governor of the State, or of persons authorized to act in his stead, of a "state of emergency" affecting and including the City;
- C. Upon the declaration of a "local emergency" by the Board of Supervisors of Riverside County, or by persons authorized to act in its stead, affecting and including the City; or
- D. Upon the declaration of a "local emergency" by the City Council, or by persons herein authorized to act in its stead. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.050 Multi-hazard functional plan (Disaster operations plan.)**

The disaster corps shall be composed of such elements as are provided for in the Multi-Hazard Functional Plan (disaster operations plan) of the City. The officers of the City shall have the authority and duty to plan for the mobilization, operation and support of that segment of the disaster corps for which each is responsible as provided for in the Multi-Hazard Functional Plan (disaster operations plan) of the City, and to conduct the activities thereof. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.060 Membership of Disaster Council.**

The City Disaster Council consists of the following persons:

- A. The City Manager, or Assistant City Manager, who shall be its chairman, and shall also be a member of the Riverside County Disaster Council;
- B. The Emergency Services Coordinator, who shall be the secretary, but without vote;
- C. Chief of Police, or a designated representative from the Police Department;
- D. Fire Chief, or a designated representative from the Fire Department;
- E. Public Utilities Director, or a designated representative from the Public Utilities Department;
- F. Public Works Director, or a designated representative from the Public Works Department;
- G. City Council Member, as the City Council may appoint; and
- H. Such additional residents of the City as the City Council may appoint. (Ord. 6354 §

1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.070 Disaster Council--Powers.**

The Disaster Council shall have power to:

1. Elect a vice-chairman and such other officers as it deems necessary;
2. Enact its own rules of procedure;
3. Review and recommend for adoption to the City Council disaster and mutual aid plans and agreements, and such ordinances and resolutions, rules and regulations as it deems necessary to implement such plans and agreements. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.080 Disaster Council--Meetings.**

The Disaster Council shall meet upon call of the chairman, or in his absence or inability to call such a meeting, upon call of the vice-chairman, not less frequently than annually. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.090 Emergency Services Director.**

The City Manager shall be the Emergency Services Director shall have authority over declared City emergency. In the absence, or inability to act, of the City Manager, he shall automatically be succeeded as Emergency Services Director by the following officials in the order named:

- A. Assistant City Manager;
- B. Assistant City Manager-Development;
- C. Police Chief;
- D. Fire Chief;
- E. Public Utilities Director;
- F. Public Works Director. (Ord. 6354 § 1, 1997; Ord. 5788 § 1, 1990; Ord. 3948 § 1 (part), 1972)

**Section 9.20.100 Emergency Services Director--Powers and duties.**

The Emergency Services Director shall have the following powers and duties:

- A. To make appointments, subject to the approval of the City Council, within the disaster corps;
- B. To request the City Council to proclaim the existence of a "local emergency" if the Council is in session, or to issue such proclamation if the Council is not in session. Whenever a "local emergency" is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect;
- C. During the existence of a "state of war emergency," or the proclaimed existence of a "state of emergency" or a "local emergency" affecting the City to:
  1. Control and direct the activities of the City disaster corps,
  2. Use all City resources for the preservation of life and property and to reduce the effects of disaster,
  3. Resolve questions of authority and responsibility that may arise in disaster operations,
  4. Obtain vital supplies, equipment and other resources needed for the preservation of life and property by either binding the City for fair value thereof or, if required immediately, by commandeering same for public use,
  5. Delegate to elected and appointed officials of the City such duties and authorities as

he deems necessary,

6. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by any conditions proclaimed as provided herein,

7. Require emergency services of any City officer or employee and to command the aid of as many citizens of the City as he deems necessary in the execution of his duties. Such persons shall be entitled to all privileges, benefits and immunities as are provided by State law for registered disaster service workers,

8. Exercise complete authority over the City by the Constitution and general laws;

D. In addition to the powers granted herein, the Director shall have such powers incidental to the performance of his duties as Director as shall be necessary to allow him to carry out the disaster operations plan of the City, it being the intent of this chapter that the enumerated powers herein are not intended to be limitations upon his powers. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

#### **Section 9.20.110 Office of Emergency Services.**

There is created the City Office of Emergency Services, the head of which shall be the Emergency Services Coordinator, who is an employee of the Riverside Fire Department. Said office shall consist of such other positions as may be established by the City Council. (Ord. 6657 § 1, 2003; Ord. 6354 § 1, 1997; Ord. 5503 § 1, 1987; Ord. 3948 § 1 (part), 1972)

#### **Section 9.20.120 Emergency Services Coordinator.**

Power and Duties. The Emergency Services Coordinator shall, prior to the existence of a "state of war emergency," a "state of emergency" or a "local emergency":

A. Develop and coordinate basic disaster planning for the City to provide for the use of all governmental entities; resources and equipment; all commercial and industrial resources; and all such special groups, bodies and organizations as may be needed to support disaster operations;

B. Develop and coordinate such disaster training programs and exercises as may be needed;

C. Develop and coordinate a public information program designed for basic self-protection;

D. Coordinate planning and training with the Riverside County Office of Emergency Services and with other federal, State, County and City disaster or emergency agencies, and with appropriate elements of the Armed Forces;

E. Recommend to the Emergency Services Director for referral to the City Disaster Council matters for consideration within the purview of the Council's responsibilities;

F. Recommend to the Emergency Services Director matters of policy for consideration by the City Council insofar as they relate to disaster and;

G. During a "state of war emergency" or of a "state of emergency" or a "local emergency" affecting the City, the Emergency Services Coordinator shall:

1. Serve as staff advisor to the Emergency Services Director; and

2. Perform such duties as may be assigned by the Director. (Ord. 6354 § 1, 1997; Ord. 5503 § 1, 1987; Ord. 3948 § 1 (part), 1972)

#### **Section 9.20.130 Orders of members.**

During the existence of a "state of war emergency" or of a proclaimed "state of emergency" or "local emergency" affecting the City, each member of the City disaster corps shall have authority to require that all persons follow reasonable orders given by him within the scope of his functions in order to execute the disaster operations plan of the City, and the willful failure of any person to follow such reasonable order or orders is a misdemeanor punishable by

a fine of not more than five hundred dollars or by imprisonment for not more than six months or both. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.140 Continuity of government.**

For the purposes of this chapter, the line of succession for key personnel of the government of the City shall be as follows:

A. For the Mayor: Mayor Pro Tempore, followed by the remaining City Council Members in the order of their seniority, excluding standby successors;

B. For City Council Members: Pursuant to Section 8638 of the Government Code, the City Council shall appoint three standby successors for each member of the Council. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.150 Powers of succession--City departments.**

Each person who succeeds to each position of office within a City department as defined by Section 2.08.020 of this code, as provided herein, and as provided in the disaster operations plan of the City, shall succeed to all the powers and duties of the office succeeded to immediately upon such succession. (Ord. 6354 § 1, 1997; Ord. 3948 § 1 (part), 1972)

**Section 9.20.160 Violations.**

It is a misdemeanor and is punishable in accordance with Section 1.01.110 for any person during a disaster to:

A. Willfully obstruct, hinder or delay any member of the City disaster corps in the enforcement of any lawful rule, regulation or order issued pursuant to this chapter, or in the performance of any duty imposed upon them by virtue of this chapter;

B. Do any act forbidden by any lawful rule, regulation or order issued pursuant to this chapter if such is of such a nature as to give, or be likely to give, assistance to the enemy, or to imperil life or property, or to prevent, hinder or delay the defense or protection of persons or property;

C. Wear, carry or display, without authority, any means of identification specified by the civil defense and/or disaster agencies of the federal or State governments. (Ord. 6354 § 1, 1997; Ord. 5258 § 8, 1985; Ord. 3948 § 1 (part), 1972)